

such article is classified and the current tariff treatment thereof, and the name and description of the domestic product concerned;

(b) *Representativeness.* (1) The names and addresses of the firms represented in the petition and/or the firms employing or previously employing the workers represented in the petition and the locations of their establishments in which the domestic product is produced;

(2) The percentage of domestic production of the domestic product that such represented firms and/or workers account for and the basis for asserting that petitioner is representative of an industry; and

(3) The names and locations of all other producers of the domestic product known to the petitioner;

(c) *Description of the action.* A description of the action or actions, as defined in section 422(c) of the Trade Act, that allegedly has caused or threatens to cause a significant diversion of trade into the domestic market of the United States;

(d) *Trade diversion data.* (1) The actual or imminent increase in United States market share held by such imports from the People's Republic of China;

(2) The actual or imminent increase in volume of such imports into the United States;

(3) The nature and extent of the action taken or proposed by the WTO member concerned;

(4) The extent of exports from the People's Republic of China to that WTO member and to the United States;

(5) The actual or imminent changes in exports to that WTO member due to the action taken or proposed;

(6) The actual or imminent diversion of exports from the People's Republic of China to countries other than the United States;

(7) Cyclical or seasonal trends in import volumes into the United States of the products at issue; and

(8) Conditions of demand and supply in the United States market for the products at issue;

(e) *Import data.* Any import data available to the petitioner that will aid the Commission in examining, pursuant to section 422(d)(2) of the Trade Act, the changes in imports into the

United States from the People's Republic of China since the time that the WTO member commenced the investigation that led to a request for consultations described in section 422(a) of the Act; and

(f) *Relief sought and purpose thereof.* A statement describing the import relief sought under section 422(h) of the Trade Act and the purpose thereof.

§ 206.64 Institution of investigation or review; publication of notice; and availability for public inspection.

(a) Paragraphs (a) and (b) in § 206.3 govern the institution of an investigation under section 422(b) of the Act and the publication of a FEDERAL REGISTER notice concerning the investigation. Following receipt of notification that the WTO member or members involved have notified the Committee on Safeguards of the WTO of a modification in the action taken by them against the People's Republic of China pursuant to consultation referred to in section 422(a) of the Act, the Commission will promptly conduct a review under section 422(j) of the Act regarding the continued need for action taken under section 422(h) of the Act. The Commission also will publish notice of the review in the FEDERAL REGISTER.

(b) The Commission will make available for public inspection the notification document that prompted a review under paragraph (a) of this section, excluding any confidential business information in the document. Paragraph (c) in § 206.3 governs the availability for public inspection of a petition, request, resolution, or motion that prompted the Commission to institute an investigation under section 422(b) of the Act.

§ 206.65 Public hearing.

Public hearings in investigations under section 422(b) of the Act are provided for in § 206.5(b).

§ 206.66 Limited disclosure of certain confidential business information under administrative protective order.

In an investigation under section 422(b) of the Trade Act, the Secretary

§ 206.67

shall make confidential business information available to authorized applicants, subject to the provisions of § 206.17.

§ 206.67 Time for determination and report.

(a) In an investigation under section 422(b) of the Trade Act, the Commission will transmit its determination under that section of the Act to the President and the Trade Representative at the earliest practical time, but not later than 45 days after the date on which the petition is filed, the request or resolution is received, or the motion is adopted, as the case may be. The Commission shall issue and transmit its report on the determination not later than 10 days after the determination is issued.

(b) In a review under section 422(j) of the Trade Act, the Commission will report its determination to the President not later than 60 days after the notification described in that section of the Act.

§ 206.68 Public report.

Upon making a report to the President of the results of an investigation under section 422(b) or a review under section 422(j) of the Trade Act, the Commission will make such report public (with the exception of information which the Commission determines to be confidential) and cause a summary thereof to be published in the FEDERAL REGISTER.

PART 207—INVESTIGATIONS OF WHETHER INJURY TO DOMESTIC INDUSTRIES RESULTS FROM IMPORTS SOLD AT LESS THAN FAIR VALUE OR FROM SUBSIDIZED EXPORTS TO THE UNITED STATES

Sec.

207.1 Applicability of part.

Subpart A—General Provisions

207.2 Definitions applicable to part 207.

207.3 Service, filing, and certification of documents.

207.4 The record.

207.5 Ex parte meetings.

207.6 [Reserved]

19 CFR Ch. II (4–1–14 Edition)

207.7 Limited disclosure of certain business proprietary information under administrative protective order.

207.8 Questionnaires to have the force of subpoenas; subpoena enforcement.

Subpart B—Preliminary Determinations

207.10 Filing of petition with the Commission.

207.11 Contents of petition.

207.12 Notice of preliminary phase of investigation.

207.13 Cooperation with administering authority; preliminary phase of investigation.

207.14 Negative petition determination.

207.15 Written briefs and conference.

207.16 [Reserved]

207.17 Staff report.

207.18 Notice of preliminary determination.

Subpart C—Final Determinations, Short Life Cycle Products

207.20 Investigative activity following preliminary determination.

207.21 Final phase notice of scheduling.

207.22 Prehearing and final staff reports.

207.23 Prehearing brief.

207.24 Hearing.

207.25 Posthearing briefs.

207.26 Statements by nonparties.

207.27 Short life cycle products.

207.28 Anticircumvention.

207.29 Publication of notice of determination.

207.30 Comment on information.

Subpart D—Terminated, Suspended, and Continued Investigations, Investigations to Review Negotiated Agreements, and Investigations To Review Outstanding Determinations

207.40 Termination and suspension of investigation.

207.41 Commission review of agreements to eliminate the injurious effect of subsidized imports or imports sold at less than fair value.

207.42 Investigation continued upon request.

207.43 [Reserved]

207.44 Consolidation of investigations.

207.45 Investigation to review outstanding determination.

207.46 Investigations concerning certain countervailing duty orders.

Subpart E—Judicial Review

207.50 Judicial review.

207.51 Judicial review of denial of application for disclosure of certain business proprietary information under administrative protective order.